

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No. SACV 08-01049 JVS (MLGx) Date February 2, 2009

Title The Stockroom Inc. v. Bronstein, et al.

Present: The Honorable James V. Selna

<u>Karla J. Tunis</u>	<u>Not Present</u>
<u>Deputy Clerk</u>	<u>Court Reporter</u>

Attorneys Present for Plaintiffs:

Not Present

Attorneys Present for Defendants:

Not Present

Proceedings: (In Chambers) Order to Show Cause Re Modification of the Preliminary Injunction and Contempt Order

In his opposition to plaintiff The Stockroom Inc.'s ("Stockroom") application for attorney fees on Stockroom's contempt application, defendant Serge Bronstein ("Bronstein") asserts that with regard to Trademark 29230354 the holder of the trademark is Joel G. Tucker. (Opposition, p. 1, Ex. 2.) Bronstein seems to be supported by the Complaint itself which alleges that Stockroom's "founder and CEO, Joel Tucker . . . is the registered owner of the trademarks in question." (Complaint, ¶ 12.)

There is a substantial question as to whether Stockroom has standing to assert a claim for relief for violation of the trademarks alleged in the Complaint.

Stockroom is ordered to show cause within ten days why the Court should not modify the preliminary injunction issued on December 8, 2008 and its contempt order of January 9, 2009 to the extent that the relief granted is predicated on trademarks owned by Tucker rather than Stockroom. Bronstein may file a reply within seven days. The Court will conduct a hearing on March 2, 2009 at 1:30 p.m.

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